

**REMARKS**

Claims 9-25 are now present in this application.

Claim 9 has been amended. Reconsideration of the application, as amended is respectfully requested.

Claims 9-13, 18-22, 24 and 25 stand rejected under 35 USC 103 as being unpatentable over PCT application WO 00/44664 in view of Janovsky, "Elevator Mechanical Design: Principles and Concepts." This rejection is respectfully traversed.

The WO '664 publication is for a traction sheave elevator. This disclosure, however, only shows a drive motor 8 with a traction sheave 5 and rope pulleys 6 and 7 on the elevator car and the counterweight, respectively. This disclosure does not show the claimed plurality of diverting pulleys mounted in an upper part of the shaft as recited in claim 1.

Realizing this deficiency, the Examiner has turned to the Janovsky article. This article shows a roping system for overhead position of the machine, single wrap drive and roping factor in Figs. 3.3 and 3.4. The disclosure, however, is merely a schematic diagram. There is no teaching of where the elevator guide rails or counterweight guide rails are provided. The Examiner has alleged that this teaching could be used to modify the WO '664 device to add diverging pulleys and rope runs to enhance the mechanical advantage of the motor.

The WO '664 disclosure on page 2, lines 3-6 states that an advantageous 2:1 suspension arrangement is achieved. Thus, this disclosure teaches away from such a modification. Independent claim 9, on the other hand, recites the various pulleys and also recites a suspension ratio of 3:1 or greater.

In addition, independent claim 9 recites that the traction sheave has a plane of rotation parallel to a plane of rotation of at least one of the diverting pulley on the elevator car or on the counterweight. This can be seen in both embodiments of the present invention. However, Figures 2 and 3 of WO '664 shows the pulleys 7, 6 with planes of rotation offset from the plane of rotation of the traction sheave 5. In Fig. 2, the sheave is parallel to the back wall, while in Fig. 3, the sheaves 6, 7 are parallel to the back wall.

It has already been noted that the WO '664 document does not show the plurality of recited pulleys mounted in an upper part of the shaft. This disclosure would also not show the alignment between the traction sheave and the pulley of the elevator car or counterweight as recited in independent claim 9.

Regarding the dependent claim, the Examiner has noted that pulley 5 in Fig. 2 and in Fig. 3 of the WO '664 document in rejecting claims 11 and 12. However, claims 11 and 12 are one of the diverting pulleys. The pulley 5 in the WO '664 document is the traction sheave. The Examiner has apparently already denoted this pulley as the traction sheave when rejecting independent claim 5, but is now using this pulley as a different structure. This seems inconsistent.

Other dependent claims also further define the present invention. Nonetheless, it is respectfully submitted that independent claim 9 recites an elevator which is neither suggested nor rendered obvious by the prior art utilized by the Examiner. As such, the 35 USC 103 rejection should now be reconsidered and withdrawn.

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

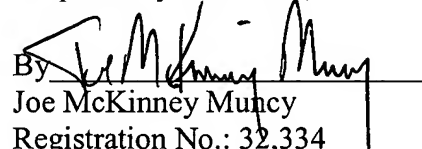
In the event the Examiner does not consider this application to be in condition for allowance, it is requested that this Amendment be entered for the purposes of Appeal. Nonetheless, it should be unnecessary to proceed to appeal because this application should now be in condition for allowance.

In the event that any outstanding matters remain in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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